

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

JUN 18 1993

MAIL SECTION

Room 222  
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IN REPLY REFER TO:

1800D5

Kirk A. Tollett  
Commsouth Media Associates  
4001 Highway 78 East  
Jasper, AL 35501

DISPATCHED BY

Dear Mr. Tollett:

This is in response to the petition for rule making which you submitted on behalf of Deborah M. Thompson requesting the allotment of FM Channel 261A to Section, Alabama, as that community's first local aural transmission service.

We have reviewed the proposal and find that it is unacceptable for consideration at this time. Specifically, the allotment of Channel 261A at Section, Alabama, is dependent upon the denial of a proposal filed by Emerald Broadcasting of the South, Inc. (now Sapphire Broadcasting, Inc.), to allot Channel 261C3 to Anniston, Alabama, at coordinates 33-40-51 and 85-48-56. Although the Anniston proposal was denied in the context of MM Docket No. 89-585, that action is presently before the Commission on review. See Report and Order, 6 FCC Rcd 6580 (1991), recon. pending. Our policy is to decline the acceptance of a petition for rule making that is dependent upon final action in another proceeding.

In the event the requested allotment of Channel 261C3 to Anniston is not adopted in MM Docket No. 89-585, you may refile the Section, Alabama, request at that time.

Sincerely,

Michael C. Ruger  
Chief, Allocations Branch  
Policy and Rules Division  
Mass Media Bureau

cc: Deborah M. Thompson  
Route 5 Box 881  
Scottsboro, AL 35768

bcc: FCC Reference Center (Room 239) via Secretary's Office (Room 222) (2 copies) (filed 6/7/93)

(drafted June 15, 1993)

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